REMARKS

Claims 1 and 3-41 are all the claims presently pending in the application. Claim 13 is amended to more clearly define the invention. Claim 41 has been added to claim additional features of the invention. Claim 2 is canceled.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicants also note that, notwithstanding any claim amendments herein or later during prosecution, Applicants' intent is to encompass equivalents of all claim elements.

Claims 1 and 3-40 stand rejected under 35 U.S.C. §102(b) as being anticipated by Chandra, et al. (U.S. Publication No. 2002/0138582).

This rejection is respectfully traversed in the following discussion.

I.   THE CLAIMED INVENTION

An exemplary embodiment of the claimed invention, as recited by, for example, independent claim 1, is directed to a method of <u>discovering</u> a business object definition that includes receiving an object and a collaboration code, and <u>determining a business object definition for the object <i>based upon the collaboration code</i></u>. The collaboration code determines the business object definition for the object <u>without pre-defined business object definitions, if the object does not conform to a known business object definition</u>.

Conventional systems and methods may include object discovery agents that produce business object definitions that include mapping information between object attributes and data fields in the application data sources. However, these methods and systems <u>must subscribe in advance to the pre-defined business object definitions</u>, and can only exchange

business objects of the business object definitions. Changes in business object definitions

often render these conventional systems and methods useless. Further, these systems and

methods often need to subscribe to a very large number of business object definitions. (See

Application from page 2, lines15-25 to page 3, lines 1-20).

In contrast, the present invention is capable of dynamically determining a business

object definition for an object based upon the collaboration code, without need to include pre-

defined business object definitions. (See Application at page 6, lines 15-22). Thus, the

present invention is capable of reverse engineering the composition of a business object to

dynamically discover a business object definition, thereby obviating the above-described

problems.

II.   THE PRIOR ART REJECTION

The Examiner alleges that Chandra teaches or suggests the all of the claimed features

as recited by claims 1 and 3-40. Applicants submit, however, that there are elements of the

claimed invention which are neither taught nor suggested by Chandra.

Claim 1 recites, inter alia:

> "*receiving an object and a collaboration code;*
> *determining a business object definition for said object based upon said*
> *collaboration code;"*
> *storing said business object definition,*
> *wherein said collaboration code determines said business object definition*
> *for said object without pre-defined business object definitions, if the object does*
> *not conform to a known business object definition."*

Claims 13, 20, 25, and 33 recite similar features as those recited by claim 1.

The Applicants point out that, in reviewing the anticipation standard, the Federal

Circuit has stated, "to anticipate, every element and limitation of the claimed invention must

be found in a single prior art reference, arranged as in the claim. *"Brown v. 3M,* F.3d 1349,

1351, 60 USPQ2d 1375 (Fed. Cir. 2001), *cert. denied,* 122 S. Ct. 1436 (2002) (emphasis

added). Additionally, other court precedent clarifies the requirement for anticipation, stating

that "the reference…must clearly and unequivocally disclose the claimed compound or direct

those skilled in the art to the compound without any need for picking, choosing, and

combining various disclosures not directly related to each other by the teachings of the cited

reference." *In re Arkley,* 455 F.2d 586, 587, 172 USPQ 524 (CCPA 1972); *see also Sandisk*

Corp. v. Lexar Media, Inc., 91 F. Supp. 2d 1327, 1336 (N.D. Calif. 2000)(stating that

"[u]nless all the elements are found in a single piece of prior art in exactly the same situation

and united the same way to perform the identical function, there is no anticipation.") and

Aero Industries Inc. v. John Donovan Enterprises-Florida Inc., 53 USPQ2d 1547, 1555 (S.D.

Ind. 1999)(stating that "[n]ot only must a prior patent or publication contain all of the claimed

elements of the patent claim being challenged, but they 'must be arranged as in the patented

device'").

  This standard for anticipation is also set forth in MPEP § 2131, which states that "the

identical invention must be shown in as much detail as is contained in the …claim." Further,

although the same terminology need not be used, "the element must be arranged as required

by the claim."

  Here, the Examiner relies on paragraphs 404 and 825 of Chandra to allege that

Chandra teaches or suggests, "*receiving an object and a collaboration code.*" (Office

Action, page 3, line 4). That is, the Examiner appears to allegedly equate Chandra's

presentation data object 1610 in paragraph 404 as the claimed "*object*" of the claimed

invention, by relying on a method embodiment described by figure 16. However, the

Examiner improperly picks and chooses another unrelated part of Chandra by attempting to

equate Chandra's received code or application code in paragraph 825 as the "*collaboration*

code" of the claimed invention <u>out-of-context</u>, by relying on a <u>different and unrelated</u> process

system embodiment described by figure 19. (Office Action, page 3, line 4). Here, the

Examiner appears to merely conduct a text search <u>without</u> considering the meaning of the

word within the context of the reference.

Therefore, the Examiner has failed to meet his burden to prove that Chandra teaches

or suggests, "*<u>receiving an object and a collaboration code.</u>*"

Further, the Examiner relies on paragraph 653 of Chandra to allege that Chandra

teaches or suggests, "*<u>determining a business object definition for said object based upon said</u>*

<u>collaboration code.</u>" (Office Action, page 3, lines 4 and 5). That is, the Examiner appears

to attempt equating Chandra's access control definition in paragraph 653 as the business

object definition of the claimed invention. However, paragraph 653 refers to yet another

embodiment <u>unrelated</u> to either paragraph 404 or 825. Indeed the Examiner has not

explained, and Chandra fails to teach or suggest, how Chandra's access control definition is

even related to the presentation object 1610, or that the access control definition is indeed be

determined based on either the Chandra's received code or the application code.

Therefore, the Examiner has failed to meet his burden to prove that Chandra teaches

or suggests, "*<u>determining a business object definition for said object based upon said</u>*

<u>collaboration code.</u>"

Also, the Examiner relies on paragraph 200 of Chandra to allege that Chandra teaches

or suggests "*<u>storing said business object definition</u>*" of the claimed invention. However,

paragraph 200, as illustrated by Figure 2, refers to yet another embodiment of system

architecture that is <u>unrelated</u> to the various embodiments described by previous paragraphs

404, 825, and 653. Indeed, paragraph 200 merely teaches that one or more application

servers 202 host containers in the form of Enterprise Java Beans 204 and store <u>programmatic</u>

objects representing containers, building blocks, pages, and transportable applications in a cache 206, (lines 1-4), and fails to teach or suggest that Chandra's access control definition is indeed stored.

Therefore, the Examiner has failed to meet his burden to prove that Chandra teaches or suggests, "*storing said business object definition.*"

Further, the Examiner relies on paragraph 200 of Chandra to allege that Chandra teaches or suggests, "*wherein said collaboration code determines said business object definition for said object without pre-defined business object definitions, if the object does not conform to a known business object definition.*" (Office Action, page 3, lines 7-10). However, the Examiner has not identified which structure of Chandra corresponds, and Chandra fails to teach or suggests "*predefined business object definitions,*" or "*a known business object definition.*" Also, as discussed previously, paragraph 200, as illustrated by Figure 2, refers to yet another embodiment of system architecture that is <u>unrelated</u> to the various embodiments described by previous paragraphs 404, 825, and 653. While Chandra teaches that Application servers 202 execute code of the containers and building blocks and call servers and services in a services domain 201 to result in servicing client request in paragraph 200, the Examiner has <u>not</u> explained how this section is related to Chandra's received code or application code in paragraph 825 (the alleged collaboration code), Chandra's access control definition in paragraph 653 (the alleged business object definition), or Chandra's presentation data object 1610 in paragraph 404 (the alleged object). Indeed, neither paragraph 200 of Chandra, nor the rest of Chandra, teaches or suggests that Chandra's received code or application code may even be able to determine the access control definition for the presentation data object 1610 "*without predefined business object definitions,*" and under the condition, "*if the object does not conform to a known business object definition.*"

Therefore, the Examiner has failed to meet his burden to prove that Chandra teaches or suggests, "*wherein said collaboration code determines said business object definition for said object without pre-defined business object definitions, if the object does not conform to a known business object definition.*"

Applicants further point out that claims 3 and 14, recite, as exemplified by claim 3, "*wherein said determining the business object definition for said business object comprises reverse engineering said business object* to examine how the business object was obtained,*" and claims 14, 20 recite "*a reverse object discovery agent.*" However, the Examiner failed to even consider, much less allege, and Chandra fails to teach or suggest the above-recited features of claims 3, 14 and 20. (See Examiner's rejection of the claims on page 3, lines 11-12, page 5, line 15-16, and page 7, lines 1-3 of the Office Action).

Since there are features of the claims that are neither taught nor suggested by the above-cited reference, reconsideration and withdrawal of the rejections is respectfully requested.

III.   NEW CLAIM

New claim 41 is added to claim additional features of the invention and to provide more varied protection for the claimed invention. The claim is independently patentable because of the novel and non-obvious features recited therein.

New Claim 41 is patentable over any combination of the cited reference at least based on similar reasons to those set forth above with respect to claim 1.

IV.   FORMAL MATTERS AND CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit

that claims 1 and 3-41, all the claims presently pending in the Application, are patentably

distinct over the prior art of record and are in condition for allowance. The Examiner is

respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance,

the Examiner is requested to contact the undersigned at the local telephone number listed

below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit

any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: August 31, 2009

Jeoyuh Lin, Esq.
Registration No. 56,032

Sean M. McGinn, Esq.
Registration No. 34,386

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Rd., Suite 200
Vienna, Virginia 22182
(703) 761-4100
Customer No. 48150